#### BEFORE THE FEDERAL ELECTION COMMISSION

	)	
In the Matter of	)	
	)	MUR 3774
National Republican Senatorial Committee and	)	
Stan Huckaby, as Treasurer	)	
	)	

## THE NATIONAL REPUBLICAN SENATORIAL COMMITTEE'S RESPONSES TO THE FEDERAL ELECTION COMMISSION'S SUBPOENA

The National Republican Senatorial Committee ("NRSC") and Stan Huckaby, as

Treasurer, by and through their undersigned counsel, hereby submit the following objections and
responses to the Federal Election Commission's ("FEC") Subpoena to Produce Documents and
Order to Submit Written Answers ("the FEC Subpoena") as follows:

#### **GENERAL OBJECTIONS**

The following general objections apply to each request for the production of documents and for written answers (the "Questions") accompanying the FEC Subpoena:

1. The NRSC objects to the Questions to the extent that they call for the disclosure of information and/or the production of documents that are protected from discovery by the attorney-client privilege or work-product immunity or are otherwise privileged. To the extent that any privileged document is or may be produced in response to the Questions, the production of any such document is inadvertent and is not to be deemed a waiver of any privilege with respect to the produced document or any other document.

- 2. The NRSC objects to the Questions to the extent they purport to impose obligations to supplement the disclosure of information and/or the production of documents beyond those imposed by the United States Code and the Federal Rules of Civil Procedure.
- 3. The NRSC undertakes to disclose information and produce documents in response to the Questions only in the form, and to the extent, required by 2 U.S.C. § 437d and any other applicable provisions of the United States Code or the Federal Rules of Civil Procedure. The NRSC objects to each instruction, definition, question and request contained in the Questions to the extent that each instruction, definition, question and request attempts to impose obligations concerning the form or context of document production beyond those required by such provisions or exceeds the scope of investigation permitted by, or conflicts with 2 U.S.C. § 437d and any other applicable provisions of the United States Code or the Federal Rules of Civil Procedure.
- 4. The NRSC objects to the Questions to the extent that they call for the disclosure of information or the production of documents containing proprietary information.
- The NRSC reserves the right to modify the objections made herein or to assert additional objections to production as appropriate.
- The NRSC reserves the right to modify, amend or supplement the answers to the
   Questions contained herein as further information becomes available or as otherwise appropriate.

#### SPECIFIC OBJECTIONS, RESPONSES AND ANSWERS TO INTERROGATORIES

#### **Question No. 1**

Identify by name and position all contact persons at the 1992 Coverdell Senate Campaign, including the November, 24, 1992 runoff, with whom NRSC officers, directors, and employees communicated in 1992.

#### Response and Answer to Question No. 1:

Subject to the General Objections, and without waiving same, the NRSC states its contact persons at the 1992 Coverdell Campaign were: Paul Coverdell - Candidate; Tom Perdue - Campaign Manager; Molly Dye - Personal Assistant to Paul Coverdell; Rick Shelby - General Consultant; Ralph Chandler - Advertising Consultant; and Whitfield Ayres - Pollster.

#### **Question No. 2**

Identify by name and position each contact person at the following 1992 Senate campaigns, with whom NRSC officers, directors, and employees communicated in 1992:

#### Response and Answer to Ouestion No. 2:

Subject to the General Objections, and without waiving same, the NRSC states the following with respect to Subparts (a) through (f):

#### a. Dirk Kempthorne's campaign in Idaho

Its contact persons at the 1992 Kempthorne Campaign were: Dirk Kempthorne Candidate; Phil Rehberger - Campaign Manager; Tony Payton - General Consultant; and John
Grotta - Direct Mail and Phone Vendor.

#### b. Thomas Hartnett's campaign in South Carolina

Its contact persons at the 1992 Hartnett Campaign were: Thomas Hartnett - Candidate;

Joe Davis - Finance Director; and Janet Thomas - Personal Assistant to Thomas Hartnett.

#### c. Lauch Faircloth's campaign in North Carolina

Its contact persons at the 1992 Faircloth Campaign were: Lauch Faircloth - Candidate;

John Preyer - Campaign Manager; and Carter Wrenn - Outside Consultant.

#### d. Mike DeWine's campaign in Ohio

Its contact persons at the 1992 DeWine Campaign were: Mike DeWine - Candidate; and Nick Wise - Campaign Manager.

#### e. Bob Packwood's campaign in Oregon

Its contact persons at the 1992 Packwood Campaign were: Bob Packwood - Candidate; Elaine Franklin - Campaign Director; Don Sipple - Consultant; and Bob Moore - Pollster.

#### f. Bob Kasten's campaign in Wisconsin

Its contact persons at the 1992 Kasten Campaign were: Bob Kasten - Candidate; Paul Wellday - Campaign Manager; and Dennis Howe - Consultant.

#### **Question No. 3**

Identify by name and position each contact person at the 1993 Kay Bailey Hutchison Senate campaign, including campaigns for both the May 1, 1993 special election and the June 5, 1993 special election runoff, with whom NRSC officers, directors, and employees communicated in 1993.

#### Response and Answer to Question No. 3:

Subject to the General Objections, and without waiving same, the NRSC states that its contact persons at the 1993 Hutchison Campaign were: Kay Bailey Hutchison - Candidate; Jim Francis - Campaign Manager; Karl Rove - Consultant; Charles Black - Consultant; and David Beckwith - Press Consultant.

#### Ouestion No. 4

Identify by name and position each contact person at the 1994 Rod Grams Senate campaign with whom NRSC officers, directors, and employees communicated in 1994.

#### Response and Answer to Question No. 4:

Subject to the General Objections, and without waiving same, the NRSC states that its contact persons at the 1994 Grams Campaign were: Rod Grams - Candidate; and Chris Erikstrup - Campaign Manager.

#### **Question No. 5**

Identify by name and position each contact person at the 1994 Rick Santorum campaign with whom NRSC officers, directors, and employees communicated in 1994.

#### Response and Answer to Ouestion No. 5:

Subject to the General Objections, and without waiving same, the NRSC states its contact persons at the 1994 Santorum Campaign were: Rick Santorum - Candidate; Mark Rodgers - Political Advisor; Ed Hodges - Campaign Manager; Pat Meehan - Campaign Manager; Mike Mihalke - Press Secretary; John Brabender - Media Consultant; and Neil Newhouse - Pollster.

#### **Ouestion No. 6**

Identify all companies, organizations or other entities who issued bills or provided billing services for all NRSC telephones and facsimile machines between January 1, 1992 and December 31, 1994. For each entity identified, state what type of service was provided and when.

#### Response and Answer to Question No. 6:

Subject to the General Objections, and without waiving same, the NRSC states that the following companies issued bills or provided billing services for NRSC telephones and facsimile machines between January 1, 1992 and December 31, 1994: (1) AT&T provided long distance telephone service; (2) Bell Atlantic provided local telephone service; and (3) Cellular One provided cellular phone service.

#### **Question No. 7**

State whether the facsimile machines used by the NRSC from January 1, 1992 through December 31, 1994 had the capacity to print logs or listings of all phone numbers and/or other identifying information of all transmissions made to or from the machines. If so, provide all available logs or listings from the facsimile machines used by Curt Anderson and Paul Curcio between January 1, 1992 and December 31, 1994.

#### Response and Answer to Question No. 7:

Subject to the General Objections, and without waiving same, the NRSC states that the facsimile machines used by the NRSC from January 1, 1992 through December 31, 1994 had the capacity to print logs and listings of fax transmissions for a limited duration after the transmission. As the attached excerpts from machine manuals demonstrate, the limited memory of the machines ranged from the prior 25 transmissions to the prior 40 transmissions. The machines do not have the capability to print out logs of transmissions from 1992-1994. The NRSC did not retain any of the logs or listings from that time period. As a result, the requested logs and listings from the machines used by Curt Anderson and Paul Curcio are not within the NRSC's possession, custody or control.

#### **Ouestion No. 8**

Identify the current and former NRSC personnel with the most knowledge of NRSC's policies, procedures and practices concerning document retention and storage for the years 1992, 1993 and 1994.

#### Response and Answer to Question No. 8:

Subject to the General Objections, and without waiving same, the NRSC states that Alan Hill, former Director of Administration for the NRSC, has the most knowledge of the NRSC's

policies, procedures and practices concerning document retention and storage from 1992 through 1994.

#### **Question No. 9**

Briefly explain the NRSC's policy concerning document retention and storage during the years 1992, 1993 and 1994, especially any policies regarding retention and storage of calendars or appointment books maintained by the NRSC personnel in connection with their job duties, and electronic mail, memorandum, notes and correspondence written or received by NRSC personnel in connection with their duties.

#### Response and Answer to Question No. 9:

Subject to the General Objections, and without waiving same, the NRSC states that it was the policy of the NRSC to retain campaign finance and tax documents to the extent required by Federal Election Commission and Internal Revenue Service regulations. Outside of this limited context, the NRSC did not have any formal policies or procedures regarding document retention and storage during the years of 1992-1994. Rather, each employee was free to retain or discard documents at his or her own discretion.

### SPECIFIC OBJECTIONS AND RESPONSES TO REQUESTS FOR PRODUCTION OF DOCUMENTS

#### Request No. 1

Produce all organizational charts or diagrams of NRSC personnel for the years 1992, 1993 and 1994.

#### Objections and Response to Request No. 1:

The NRSC objects to this Request on the grounds that it is vague, overly broad and not reasonably calculated to lead to the discovery of relevant evidence. Subject to these objections, and without waiving same, the NRSC states that it does not have any such organizational charts or diagrams within its possession, custody or control.

#### Request No. 2

Provide all documents listing the names of NRSC personnel for the years 1992, 1993, and 1994.

#### Objections and Response to Request No. 2:

The NRSC objects to this Request on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of relevant evidence. Further, the NRSC objects on the grounds that it is unduly burdensome given the potentially large volume of documents that would contain the names of NRSC personnel during this period. Subject to these objections, and without waiving same, the NRSC has produced documents responsive to this Request sufficient to identify the personnel employed during 1992, 1993 and 1994.

#### Request No. 3

Provide all documents containing or referencing NRSC policies, procedures and practices concerning document retention and storage in the years 1992, 1993 and 1994.

#### Objections and Response to Request No. 3:

The NRSC does not have any such documents within its possession, custody or control.

#### Request No. 4.

Provide phone directories or other documents listing the phone numbers used by NRSC personnel for 1992, 1993 and 1994.

#### **Objections and Response to Request No. 4:**

See General Objection No. 4, which is incorporated herein by reference. Also, the NRSC objects to this Request on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of relevant evidence. Subject to these objections, and without waiving same, the NRSC states that it does not have any of the requested documents within its possession, custody or control.

Respectfully submitted,

Benjamin L. Ginsberg

PATTON BOGGS, L.L.P.

2550 M Street, N.W.

Washington, D.C. 20037

(202) 457-6000

Counsel for Respondents National Republican Senatorial Committee and Stan Huckaby, as Treasurer

Dated: March 21, 1997

#### **VERIFICATION OF WRITTEN ANSWERS**

I, Mary M. Dotter, Assistant Treasurer of the National Republican Senatorial Committee ("NRSC"), hereby declare under penalty of perjury that the foregoing The National Republican Senatorial Committee Responses to the Federal Election Commission's Subpoena are true and correct to the best of my knowledge and belief.

March 21, 1997

Rv:

Mary M. Dotter

Subscribed and sworn before me this 215 the day of March, 1997

NOTARY PUBLIC

MY COMMISSION EXPIRES APRIL 14, 1999

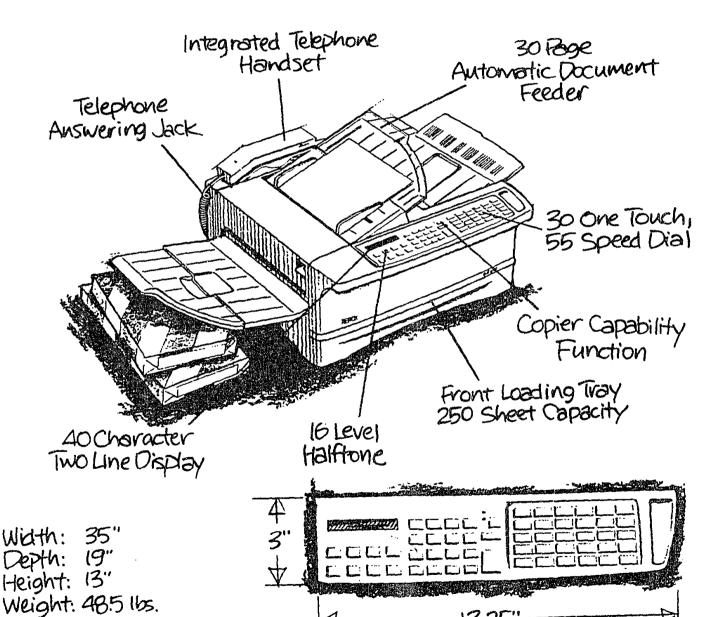
DISTRICT OF COLUMBIA

#### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 21st day of March, 1997, the foregoing National Republican Senatorial Committee's Responses to the Federal Election Commission's Subpoena were delivered by hand to the following:

Dawn M. Odrowski, Esq. Office of the General Counsel Federal Election Commission 999 E Street, N.W. Washington, D.C. 20463

Counsel for the Federal Election Commission



Control Pane! with Operator Display

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This section describes each of the 7024's reports, and provides information on how to set to print and/or print each report. Sample reports are shown for the Dial Directory Report, the Options Report, and the Confirmation Report.

- Activity Report
- · Dial Directory Report
- · Options Report
- · Pending Job Report
- · Power Interrupt Report
- Confirmation Report

#### **ACTIVITY REPORT**

Provides printed verification of the most recent 25 send and receive operations. Includes name or ID of remote station, resolution mode, start date and time, duration of transmission, # of pages, transmission mode, and transmission verification for each operation. Each document is given a document number which is also referenced on the Confirmation Report.

#### SET TO PRINT:

Press MENU key.

Press [0], [9] for User Settings.

Press ENTER.

Press [1], [2] for Activity Report.

Press ENTER.

Press SELECT to choose On or Off.

Press ENTER.

#### TO PRINT AT ANY TIME:

Press MENU key.

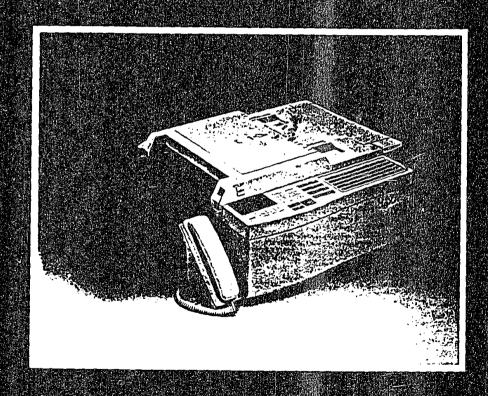
Press [0], [7] for Print Reports.

Press ENTER to select Activity Report.

Press START to begin printing.

dex 720/740/760

INSTALLATION
AND
OPERATION
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#### **SPECIFICATIONS**

Scanner Resolution

STANDARD: FINE:

203 x 98 dpi 203 x 196 dpi

**FINE PLUS:** 

203 x 391 dpi

Recording Paper Size

Letter:

8.5" x 11" (216 mm x 279 mm)

Legal (dex 740/760 only): 8.5" x 14" (216 mm x 356 mm)

Recording Paper Capacity

dex 720:

dex 740/760:

250 Sheets in 1 Letter size cassette

500 Sheets (2 cassettes x 250 each) Letter and Legal size cassettes

Recording Resolution

400 x 400 dpi (with super-smoothing process)

Print Speed

7 ppm

**Effective Recording Size** 

Letter:

8.1" x 10.6" (206 mm x 269 mm)

Legal (dex 740/760 only): 8.1" x 13.6" (206 mm x 346 mm)

Recording Paper Weight

16 lb to 20 lb

**Document Contrast** 

Automatic Background

ABC produces the best contrast copy quality

Control (ABC):

automatically.

Manual Settings:

Dark, Normal, Light

Greyscale

16 shades, dithering scheme.

Automatic Reduction -

Transmission

B4 to A4:

10.1" x 14.3" to 8.3" x 11.7"

(257 mm x 364 mm to 210 mm x 297 mm)

A3 to B4:

11.7" x 16.5" to 10.1" x 14.3"

(dex 740/760 only)

(297 mm x 420 mm to 257 mm x 364 mm)

A3 to A4:

11.7" x 16.5" to 8.3" x 11.7"

(dex 740/760 only)

(297 mm x 420 mm to 210 mm x 297 mm)

Reception

0% to 50% in 1% increments when enabled.

Memory

Standard:

dex 720:

0.25 Mbytes - approx. 20 pages

dex 740/760:

0.5 Mbytes - approx. 40 pages

Optional:

1 Mbyte - approx. 120 pages (additional)

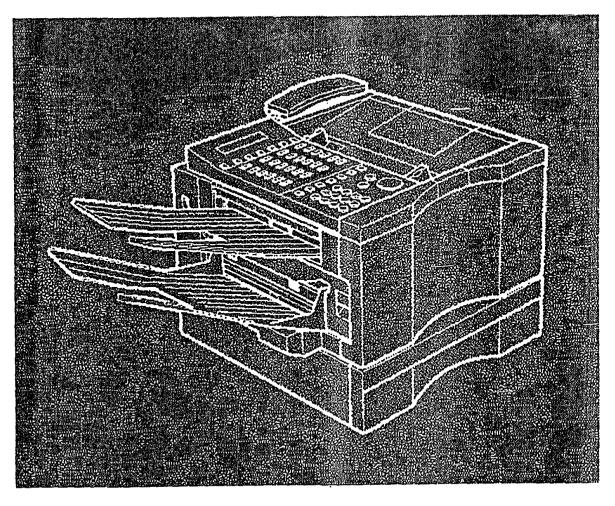
2 Mbytes - approx. 160 pages (additional)

7-2 SPECIFICATIONS

Canon

# LASER CLASS.5000/5500

**INSTRUCTION BOOK** 



ENGLISH

You can print a variety of useful reports to keep track records of your transactions and the information registered in your fax.

#### **Activity management report**

Activity management reports provide a record of the last 40 transmissions your fax sends or receives.

#### Press REPORT.

REPORT

An activity management report will print.

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- The fax automatically prints an activity management report after 40 transactions.
   You can also set the fax not to print an activity report after 40 transactions. (→171)
- You can also set the fax to print an activity management report at the same time every day. (→171)
- The fax prints sending and receiving transactions together in the same report. You
  can also set the fax to print sending and receiving transactions in separate reports.
  (→171)

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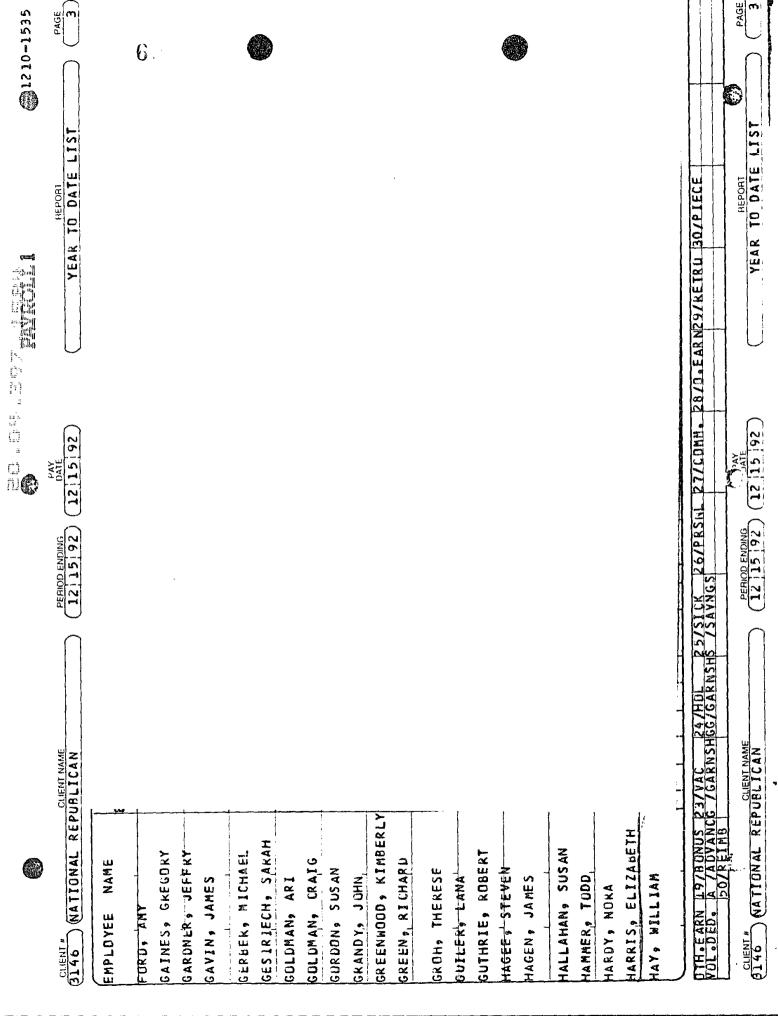
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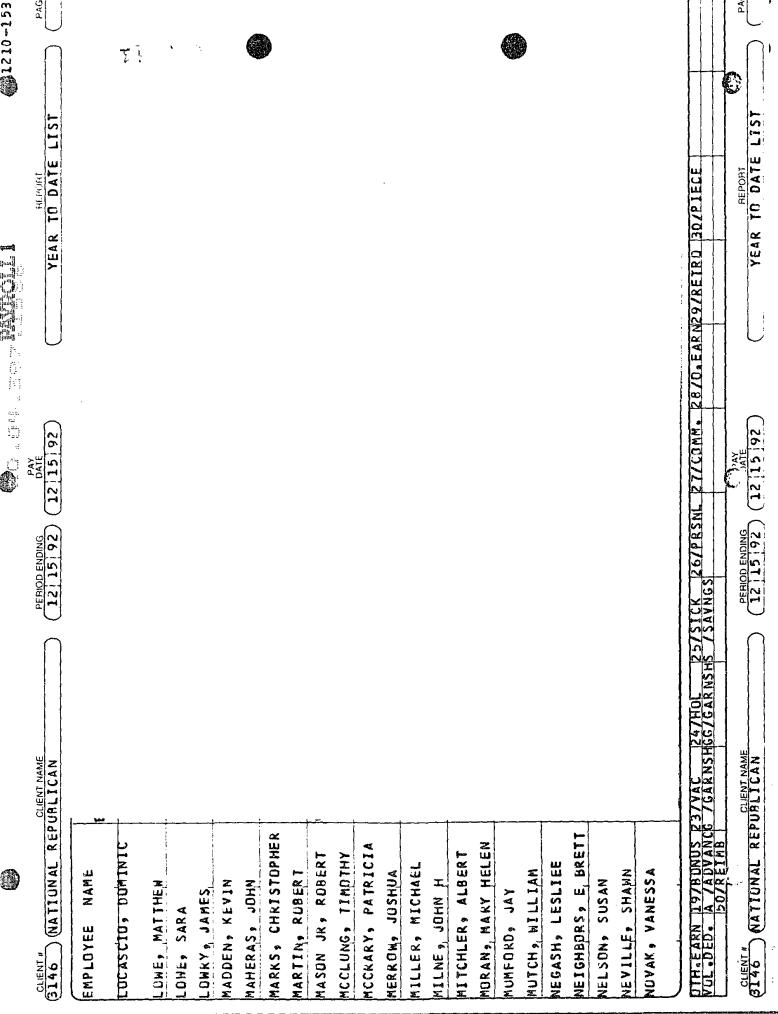
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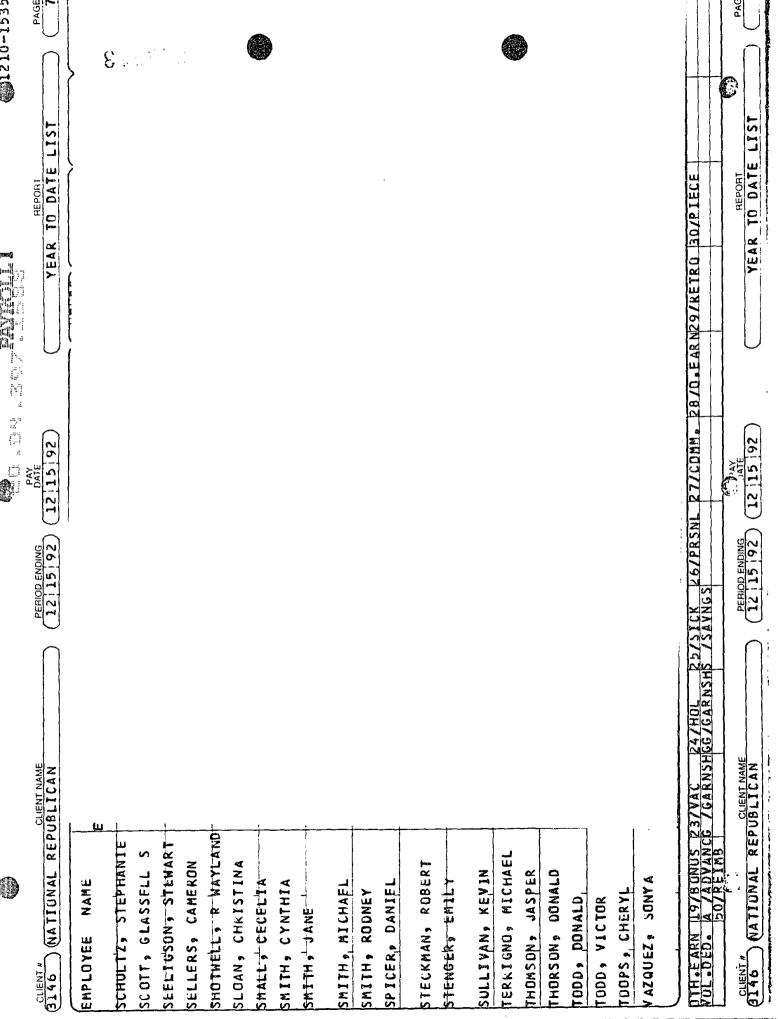
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NATIONAL REPUBLICAN EMPLOYEE NAME 65 3146

EMPL# DEPT# HILL, JERRY

HOGAN, SUSAN HOITSMA, PATRICK J HUDDINE, MICHAEL IRVIN, ROBERT HOLLEY,

JOYE, MARISA

KAHARA

JASUN P

KIOU, BRET KELSCH, A

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KOUPS, GARY

SS=SOC SEC

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EMPLOYEE NAME

EMPL# DEPT#

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LOCASCIO, DUMINIC

LYNAH, MICHAEL

MADDEN, KEVIN

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LOWE, SARA

LOWE, MATTHEW

LITTLE JOHN, JON

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MARTIN, RUBERI

JR, RUBERT MATHESON, MARK E MASON

MCCAMBRIDGE, PATRIC MCCALEB, ALLISON S TMOTHY MCERIDE, RICHARD

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MICHAEL MILLEK,

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NEGASH, LESLIEE

NELSON, SUSAN

NOLAN, RICH

NOVAK, VANESSA

DSING, GERALD

OPINSKY, HOWARD

OWEN, ELIZABETH 

PERRY, DORUTHY

PERUCHINI, CHARLES ETERSON, JANET

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EMPL# DEPT# PETITJEAN, HOLLY TERESA

PIOTTER, KEVIN

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PYLES, PATRICK

QUIGLEY, JOSEPH 2 EDWARD

RETNER, DOUGLAS

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EMPLOYEE NAME

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EMPL# DEPT# REUTHER, WILLIAM

ROBERTS, M DAVID RHODES, TERESA

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ROCERS, ROBERT

ROY, STUART

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SCHRETBER, BRADLEY

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VINCENT, ALEXANDER

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VALANZAND, KAREN

VAZOUEZ,

TRITCHKA, HENRY

TODD, VICTOR

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ENPL# DEP 7# WALLACE, SCOTT EMPLOYEE NAME

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WAR SHAM, JA

WASHINGTON, MARCUS

MATKINS, DERBY

WHALEN, BRIAN

WHITTEN, LAURA

WILLIAMS, FLOYD

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WILLIAMS, KATHERINE

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AUSFAHL, MATTHEW				,
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BAER, ITREVOR				
BAILEY, SCOTT				)
BAIRD, LANCEL				
BARRY, JEAN M				
BERTELLI, CHRISTOPH				
BINION, ELIZABETH				
BLACK, J. ROBERT				
BLACK, WILLIAM				
BOGNAR, LISA				
BOWERS, MARY				
BROWDER, K LINK				)
BURGER, BENJANIN				
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CARNEY, DAVID				
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EMPLOYEE NAME				ĺ
CECIL, JAMES				Bei.
CORAY, DAVID				
CORCORAH, JEANETTE				
CORD, JERRY				,
CRANE 11, DAVID				
CRISS 1 RALPHI E				
CURCIO, PAUL				
CURRIER, ELIZABETH				
DAVIS, DAWNE				
DAWSON, SAM (				
DEER, AARON JAMES				
DICKENIS, GEOFFREY				
DORHAN, JAKES				
DORRIER, MICHAEL				
OTTER, MARY, M				
AS, ROBE				
DUBE, ICHRISTIOPHER				
DUKE, ANDREW				
EARDEMISOHN, ITODD				
ECKERLE, JASON				
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LOUE, MATTHEW

MADDEN, KEVIN

MACDONALD, LIZABETH

LYNAM, MICHAEL

HADDEN, SARA

MAHERAS, JOHN

HCCAMBRIDGE, PATRIC MCBRIDE, RICHARD

MCCLUNG, TIMOTHY

MCGRATH, PATRICK

MEDENWALD, RANDY HCMAHON, ARIS

MILEY, GREGORY

MILLS, SCOTT P

MILNE, JOHN H

MOORE, CATHARINE MULLOY, VINCENT

\*I\*FICA\*\* NELSON, SUSAN RICH NOLAN,

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REBAUDENGO, GERMANI

RABICOFF, SHILA

RAHAL, EDWARD M

QUIGLEY, JOSEPH

RICKERSON, BIRUCE

ROBINSON, LYNN

REINER, DOUGLAS

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